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17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19

20 DENNIS HART AND RON MILLER,

21 Plaintiffs,

22 v.

23 CITY OF ALAMEDA,

24 Defendant.
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Case No.: C 07-05845 MMC

**STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE AND
~~PROPOSED~~ ORDER**

IT IS HEREBY STIPULATED AND AGREED by Plaintiffs and Defendant, through their respective counsel, that the November 20, 2009 Case Management Conference should be continued for approximately sixty (60) days to give the parties additional time to attempt to resolve this matter, given that the Court's ruling on the parties' cross-motions for partial summary judgment has decided the key legal issues. The parties have participated in a settlement conference and anticipate further discussions in and through the month of December. At that time, the parties will be in a better position to identify whether they have reached a resolution, whether the intervention of a third party or additional discovery is appropriate to facilitate resolution, or whether the parties intend to proceed to trial with the remaining claims.

Date: November 9, 2009

BERRY WILKINSON LAW GROUP

By: /s/

ALISON BERRY WILKINSON

Attorneys for Plaintiffs

DENNIS HART AND RON MILLER

Date: November 9, 2009

WILEY PRICE & RADULOVICH, LLP

By: /s/

IAN P. FELLERMAN

Attorneys for Defendant

CITY OF ALAMEDA

ORDER

Pursuant to Stipulation of the parties, the Court hereby Orders that the Case Management Conference scheduled for November 20, 2009 is continued to ~~January~~ ^{February 5}, 2010 at 10:30 a.m., with an updated Joint Case Management Statement to be filed by the parties seven days prior thereto.

Date: November 13, 2009


MAXINE CHESNEY
United States District Court Judge